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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,648	03/23/2001	Yasuhiro Yamanaka	450100-03012	5976
20999	7590	04/21/2005	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			BAKER, PAUL A	
			ART UNIT	PAPER NUMBER
			2188	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/815,648

Applicant(s)

YAMANAKA, YASUHIRO

Examiner

Paul A Baker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9-11 and 13 is/are rejected.
- 7) ☒ Claim(s) 3,8 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2,4-7,9-11 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Brunheroto et al., US Patent 6,654,389.

In regards to claim 1, Brunheroto discloses an apparatus for processing information, comprising:

an information acquisition means for acquiring multimedia information having a structure of block data including a header area and a data area holding data in figure 1 elements 10 and 11, and column 1 line 15 through column 3 line 14 (examiner is interpreting an MPEG packet and its data structure to be equivalent to applicant's block data);

a data extractor means for extracting desired data from the multimedia information acquired by the information acquisition means, through searching, based on the content described in the header area of the multimedia information in column 2 lines 47-54 and column 6 lines 6-28; and

a reproducing means for reproducing the data extracted by the data extractor means wherein said desired data includes data without any links in column 6 lines 18-28.

In regards to claim 2, Brunheroto discloses the header area of one piece of block data has a structure in which block name identification information describing a name identifying the content of at least current block data and data length identification information indicating the data length of the current block data are arranged in a predetermined order in column 1 lines 15-61 Brunheroto discloses that MPEG2 Transport streams are further comprised of Packetized Elementary Streams (PES), according to the MPEG2 specification page 33, the header information contains a stream ID and a packet length, therefore it is inherent that Brunheroto's disclosed invention contains block identification information and a data length identification, and

wherein the data extractor means searches for data to be extracted, based on the block name identification information and the data length identification information, Brunheroto discloses the block name identification is used for context switching between the elementary data streams in column 6 lines 13-22. In order for Brunheroto to search the payload field for a particular pattern, he must know the length of the payload field, therefore it is inherent he uses the data length identification information to perform data extraction.

In regards to claim 4, Brunheroto discloses one piece of block data has a structure in which delimitation identification information having a predetermined length indicating a delimitation of an area is inserted in a data sequence composed of an information area, forming the header area, and the data area, The PES packet contains a packet code start prefix (shown on page 33 of the MPEG2 specification) this 24 bit code is a constant 0x000001 and serves as a delimiter for the PES packet, since Brunheroto is searching patterns in MPEG2 streams, it is inherent that Brunheroto's block data contains this delimitation, and

wherein the data extractor means identifies a delimitation position of the areas based on the delimitation identification information when the data extractor means searches for data to be extracted in figure 4 element 103.

In regards to claim 5, Brunheroto discloses A system for delivering information, comprising an information delivery apparatus and an information receiver apparatus, wherein the information delivery apparatus comprises:

a storage means for storing at least one piece of multimedia information having a structure of block data including a header area and a data area holding data in figure 1 element 50; and

a transmitter means for transmitting multimedia information selected from at least one piece of multimedia information stored in the storage means in figure 1 element 40; and

the information receiver apparatus comprises:

a receiver means for receiving the multimedia information transmitted by the information delivery apparatus in figure 4 element 101;

a data extractor means for extracting, through searching, desired data from the multimedia information received by the receiver means, based on the content described in the header area of the multimedia information in figure 4 element 120; and

a reproducing means for reproducing the data extracted by the data extractor means wherein said desired data includes data without any links in figure 4 element 107 in association with figure 1 element 30.

In regards to claim 6, Brunheroto discloses a method for processing multimedia information, comprising the steps of:

acquiring, from outside, multimedia information, having a structure of block data, including a header area and a data area holding data in figure 1 element 11, further Brunheroto discloses that MPEG2 Transport streams are further comprised of Packetized Elementary Streams (PES), according to the MPEG2 specification page 33, the PES packet contains header information and data (PES_packet_data_byte on page 36), therefore it is inherent that Brunheroto's disclosed invention contains block data including a data header and a data holding are;

extracting, through searching, desired data from the multimedia information acquired through the acquiring step, based on the content described in the header area of the multimedia information, Brunheroto discloses the block name identification is

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used for context switching between the elementary data streams in column 6 lines 13-22; and

reproducing the data extracted by the data extracting step wherein said desired data includes data without any links in column 6 lines 18-28.

In regards to claim 7, Brunheroto discloses the header area of one piece of block data has a structure in which block name identification information describing a name identifying the content of at least current block data and data length identification information indicating the data length of the current block data are arranged in a predetermined order in column 1 lines 15-61 Brunheroto discloses that MPEG2 Transport streams are further comprised of Packetized Elementary Streams (PES), according to the MPEG2 specification page 33, the header information contains a stream ID and a packet length, therefore it is inherent that Brunheroto's disclosed invention contains block identification information and a data length identification, and wherein the data extractor means searches for data to be extracted, based on the block name identification information and the data length identification information, Brunheroto discloses the block name identification is used for context switching between the elementary data streams in column 6 lines 13-22. In order for Brunheroto to search the payload field for a particular pattern, he must know the length of the payload field, therefore it is inherent he uses the data length identification information to perform data extraction.

In regards to claim 9, Brunheroto discloses one piece of block data has a structure in which delimitation identification information having a predetermined length indicating a delimitation of an area is inserted in a data sequence composed of an information area, forming the header area, and the data area, The PES packet contains a packet code start prefix (shown on page 33 of the MPEG2 specification) this 24 bit code is a constant 0x000001 and serves as a delimiter for the PES packet, since Brunheroto is searching patterns in MPEG2 streams, it is inherent that Brunheroto's block data contains this delimitation, and

wherein the data extractor means identifies a delimitation position of the areas based on the delimitation identification information when the data extractor means searches for data to be extracted in figure 4 element 103.

In regards to claim 10, Brunheroto discloses a recording medium for recording desired data extracted from multimedia information, having a structure of block data, including a header area and a data area holding data in figure 4 element 10 and column 6 lines 23-28,

wherein said desired data includes data without any links (MPEG2 streams are block based with data fields indicating the size of information fields and as such do not contain links).

In regards to claim 11, Brunheroto discloses the header area of one piece of block data has a structure in which block name identification information describing a

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name identifying the content of at least current block data and data length identification information indicating the data length of the current block data are arranged in a predetermined order in column 1 lines 15-61 Brunheroto discloses that MPEG2 Transport streams are further comprised of Packetized Elementary Streams (PES), according to the MPEG2 specification page 33, the header information contains a stream ID and a packet length, therefore it is inherent that Brunheroto's disclosed invention contains block identification information and a data length identification, and wherein the data extractor means searches for data to be extracted, based on the block name identification information and the data length identification information, Brunheroto discloses the block name identification is used for context switching between the elementary data streams in column 6 lines 13-22. In order for Brunheroto to search the payload field for a particular pattern, he must know the length of the payload field, therefore it is inherent he uses the data length identification information to perform data extraction.

In regards to claim 13, Brunheroto discloses one piece of block data has a structure in which delimitation identification information having a predetermined length indicating a delimitation of an area is inserted in a data sequence composed of an information area, forming the header area, and the data area. The PES packet contains a packet code start prefix (shown on page 33 of the MPEG2 specification) this 24 bit code is a constant 0x000001 and serves as a delimiter for the PES packet, since

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Brunheroto is searching patterns in MPEG2 streams, it is inherent that Brunheroto's block data contains this delimitation.

Allowable Subject Matter

Claims 3, 8 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

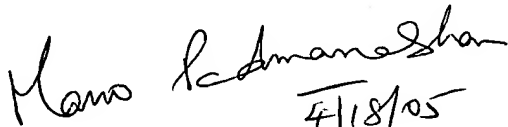
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul A Baker whose telephone number is (571)272-4203. The examiner can normally be reached on M-F 10am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on (571)272-4210. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


PB


4/18/05

MANO PADMANABHAN
SUPERVISORY PATENT EXAMINER